

FEB./2007

NOTICE OF CLAIM

David Pakter,

Claimant

-against-

Joel Klein, Chancellor, New York City Board of Education;
Michael Bloomberg, Mayor; The City of New York; Philip
Crowe,

NYC DOE Human Resources Director, Manhattan, NYC BOE,
NYC BOE Medical Office Director Dr. Audrey Jacobson,
Dr. Ann Garner, and Dr. Eliane Meyer; Mr. Chad Vignola, Esq.;
Mr. Richard Schuster, PhD; Region Nine Superintendent Peter
Heaney; Deputy Superintendent Mariano Guzman, LIS Alexis
Penzell; Mr. Lawrence Becker, Deputy Director of NYC BOE
DHR;

Hilda Nieto, Principal, Fashion Industries High School;
Madeleine

Appell, Principal, High School of Art and Design, Mary
Ann Geist-Deninno, Assistant Principal, and John Lachky,
Acting Principal, all in their Individual as well as
Official
Capacities,

Respondent

To: Office of the City Comptroller
Bureau of Law and Adjustment
1 Centre Street, Room 622
New York, New York 10007

Michael A. Cardozo, Esq.
New York City Law Department
100 Church Street
New York, New York 10007

Michael Best, Esq.
Office of Legal Services
New York City Department of Education
52 Chambers Street
New York, New York 10007

PLEASE TAKE NOTICE that the claimant hereby makes claim and demand against the individuals and groups named in the caption above as follows:

- 1) The name, post office address, and phone number of claimant is:

David Pakter, Attorney Pro Se
900 Park Ave, Apt 27D
New York, NY 10021-0231
(212) 879-7200

- 2) Nature of the claim is:

Employment and age discrimination, re-assignment to a "rubber room" without probable cause, whistleblower retaliation and harassment, pension benefits abuse, character defamation, slander, libel, and the malicious, arbitrary, and deliberate violation of due process rights and civil rights resulting in personal injury for which punitive and compensatory damages are claimed.

- 3) Time when, place where and manner in which the claim arose:

On November 27, 2006, Claimant was ordered to leave Fashion Industries High School by Respondents and Principal Nieto, and to report to the New York City Board of Education ("NYC BOE") "re-assignment" center at 388 West 125th Street, 6th Floor, "and continue to report to this location until further notice." From that day until the present, no further information has been given to clarify such employment harassment. Claimant has not received any Notice of Specifications, nor has he received any documentation of the reasons for the re-assignment to the "rubber room" on West 125th Street.

Claimant is 61 years of age, and has been an exemplary teacher for more than 35 years, teaching inside the public schools of the New York City Board of Education.

Claimant was decorated and recognized by former Mayor Rudy Giuliani, and was considered an exceptional teacher at the High School of Art and Design, where he

started the first Medical Illustration Program in the United States.

At the High School of Art and Design, Claimant realized that the students were not receiving any music, while a group of elementary school children from PS 59 were being moved into the high school for music classes. On October 2, 2003 he sent a letter to Chancellor Joel Klein containing numerous issues requiring the Chancellor's immediate attention and requested a meeting. Having founded the first High School Medical Illustration Program in America, a program highly praised by Pulitzer Prize winning journalist Clara Hemphill he was certain the Chancellor would agree to meet with him. Especially since he had been honored as a TEACHER OF THE YEAR personally by former Mayor Rudolph Giuliani in a City Hall Ceremony and is also listed in Who's Who Among America's Best Teachers.

On October 21, 2003, Claimant received a blistering attack in a letter signed by the NYC BOE General Counsel, Mr. Chad Vignola that did not respond to any of the wrong-doing at the school.

Claimant subsequently was thrown out of his job, denied access to his personal property, and told to report to a rubber room. Six months later Respondent Deninno "found" pornography on one of the student computers in Claimant's classroom, and Claimant was falsely accused of putting it there.

Claimant's 3020a ended with Claimant receiving a penalty of \$15,000, but no compensation for the humiliation of his removal from the school of Art and Design and the Medical Illustration Program that he created and loved. On August 16, 2005, Dr. Audrey Jacobson and her Medical Leaves and Benefits Office "found" claimant to be "medically unfit for duty", a claim that she and her staff withdrew on June 5, 2006.

Thus, Claimant states that there is a pattern and practice of retaliation, slander, libel, medical malpractice, employment and age discrimination and violations of substantive and procedural due process

that require his making a claim against the City of New York.

4) Items of Damage(including dollar amounts):

Claimant requests the sum of \$30 million to make him whole. The items of damage or injuries claimed are: damages to reputation; emotional distress; impairment of claimant's ability to secure future employment; impairment of earning power; employment and age discrimination, slander and libel; false claims made by Respondents against him; and substantive and procedural due process violations.

The claim and demand is hereby presented for adjustment and payment.

PLEASE TAKE FURTHER NOTICE that by reason of the foregoing, in default of the City of New York and the listed respondents to pay the claimant his claim within the time limited for compliance with this demand by the applicable statutes, claimant intends to commence an action against the City of New York and the listed respondents to recover his damages with interest and costs.

Dated: February ____ 2007
New York, New York

David Pakter

Sworn to Before Me on the
24 day of February, 2007
NOTARY PUBLIC

APPROX.
